IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.17753 of 2008
1. SMT.DURGA DEVI @ DURGA DEVI
2. MANISH KUMAR @ MANISH ARYA
Versus
STATE OF BIHAR
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2. 12.12.2008 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioners apprehend arrest in a Police case under Sections 409, 419,420 and 120B of the Penal Code.

The allegations are with regard to an agreement for sale and an advance receipt when the deeds were not being executed. The defence is of a title suit between the vendors and vendee subject to which the petitioners were still ready and willing to pay the amount. Considering the same, notices were issued to Opposite party no. 2 twice and validly served on both occasion but no one appears on their behalf to oppose the application.

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In the light of willingness of the petitioners to refund the amount of advance taken also, let the petitioners, abovenamed surrender in the court below within a period of four weeks from today, when they shall be enlarged on bail on furnishing bail bonds of Rs. 10,000/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Khagaria in Khagaria P.S. case No.91 of 2001, subject to the conditions laid down under Section 438(2) Cr.P.C.

AKS/ **(Navin Sinha, J.)**